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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**ST. CLAIR INTELLECTUAL  
PROPERTY CONSULTANTS, INC.,**

Plaintiff,

v.

**ACER, INC., et al.,** Defendants.

Case No. 12-80229 JSW (EDL)

(Case No. 10-cv-282 pending in the District of  
Delaware)

~~PROPOSED~~ ORDER ON MICROSOFT  
CORPORATION'S MOTION TO  
WITHDRAW ITS MOTION FOR AN  
ORDER FOR MICHIO FUJIMURA TO  
SHOW CAUSE WHY HE SHOULD NOT BE  
HELD IN CONTEMPT

**MICROSOFT CORPORATION,**

Plaintiff,

v.

**ST. CLAIR INTELLECTUAL  
PROPERTY CONSULTANTS, INC.,**

Defendant.

1 WHEREAS, Microsoft Corporation ("Microsoft") has filed a Motion to Withdraw its  
2 Motion for an Order to Show Cause, without prejudice to renew that motion if facts or testimony  
3 arise that indicate that Michio Fujimura has withheld documents responsive to Microsoft's  
4 subpoena, and without prejudice to Microsoft's right to seek costs or fees by separate motion  
5 pursuant to Rule 37.

6 WHEREAS, a hearing on the Motion for an Order to Show Cause has been set before the  
7 Honorable Elizabeth D. LaPorte for November 6, 2012 at 9:00 a.m., Courtroom E, 15<sup>th</sup> Floor,  
8 Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102.

9 THEREFORE, based on the papers and pleadings on file and good cause appearing, the  
10 Court hereby GRANTS Microsoft's Motion to withdraw its Motion for an Order for Michio  
11 Fujimura to Show Cause Why He Should Not Be Held In Contempt of this Court and ORDERS:

12 1. Microsoft's Motion to Withdraw its Motion for an Order for Michio Fujimura to  
13 Show Cause Why he Should not be Held in Contempt of this Court is GRANTED, without  
14 prejudice to renew that motion if facts or testimony arise that indicate that Michio Fujimura has  
15 withheld documents responsive to Microsoft's subpoena, and without prejudice to Microsoft's  
16 right to seek costs or fees by separate motion pursuant to Rule 37.

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18 SO ORDERED this 9th day of October, 2012.

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21 THE HONORABLE ELIZABETH D. LAPORTE  
22 United States Magistrate Judge  
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